



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 9, 2019

GOV. MSG. NO. 1378

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirtieth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirtieth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

I am transmitting herewith HB1032 HD2 SD2 CD1, without my approval and with the statement of objections relating to the measure.

HB1032 HD2 SD2 CD1

RELATING TO STATE BOATING FACILITIES.

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

EXECUTIVE CHAMBERS

HONOLULU

July 9, 2019

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1032

Honorable Members
Thirtieth Legislature
State of Hawai'i

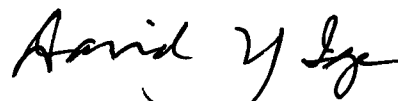
Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 1032, entitled "A Bill for an Act Relating to Small Boating Facilities."

The purpose of this bill is to establish a state boating facility lease pilot program to allow the Board of Land and Natural Resources to lease Manele Small Boat Harbor in its entirety, and fast lands and submerged lands within it.

This bill is objectionable because, although DLNR had sought general authorization for public-private partnerships of small boat harbors, this measure designates Manele Small Boat Harbor as a pilot program without public input.

For the foregoing reasons, I am returning House Bill No. 1032 without my approval.

Respectfully,

A handwritten signature in black ink that reads "David Y. Ige". The signature is written in a cursive style with a large, sweeping flourish at the end.

DAVID Y. IGE
Governor of Hawai'i

A BILL FOR AN ACT

RELATING TO STATE BOATING FACILITIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that climate change and
2 sea level rise are not only real phenomena but are also two of
3 the most preeminent challenges of the twenty-first century and
4 are pivotal issues for the State. In 2017, the legislature
5 created the Hawaii climate change mitigation and adaptation
6 commission which eventually recommended the exploration of
7 potential public-private partnerships as a way to preserve
8 coastal resources.

9 The purpose of this Act is to establish a state boating
10 facility lease pilot program for Manele small boat harbor on the
11 island of Lanai to allow the board of land and natural resources
12 to lease Manele small boat harbor in its entirety, and fast
13 lands and submerged lands within it, by public auction, request
14 for proposals, or direct negotiation for private development,
15 management, and operation; provided that the board first finds
16 that the lessee has met certain community involvement



1 requirements. This Act also streamlines the lease process by
2 not requiring legislative approval to award a lease.

3 SECTION 2. (a) There is established a state boating
4 facility lease pilot program within the department of land and
5 natural resources to be implemented and managed by the division
6 of boating and ocean recreation to allow the board of land and
7 natural resources to lease Manele small boat harbor in its
8 entirety, and fast lands and submerged lands within it, by
9 public auction, request for proposals, or direct negotiation for
10 private development, management, and operation; provided that
11 the board first finds that the lessee has met certain community
12 involvement requirements including:

13 (1) Has given public notice of any proposed development
14 plans;

15 (2) Has engaged with the community to be affected in
16 regard to the development plans;

17 (3) Has considered community concerns; and

18 (4) Has developed a plan to address adverse impacts.

19 (b) Prior authorization from the legislature shall not be
20 required for a lease under this pilot program.



1 (c) The board of land and natural resources through
 2 assistance from the division of boating and ocean recreation
 3 shall submit a report of its findings and recommendations,
 4 including any proposed legislation, to the legislature no later
 5 than twenty days prior to the convening of the regular sessions
 6 of 2022, 2023, and 2024. The reports shall include a
 7 recommendation on whether the pilot program should be continued,
 8 modified, or terminated.

9 (d) The state boating facility lease pilot program shall
 10 cease to exist on June 30, 2024.

11 SECTION 3. This Act does not affect rights and duties that
 12 matured, penalties that were incurred, and proceedings that were
 13 begun before its effective date.

14 SECTION 4. This Act shall take effect upon its approval.

APPROVED this day of , 2019

GOVERNOR OF THE STATE OF HAWAII



HB No. 1032, HD 2, SD 2, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 30, 2019
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019.



Scott K. Saiki
Speaker
House of Representatives

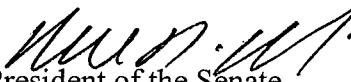



Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI'I

Date: April 30, 2019
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2019.


President of the Senate


Clerk of the Senate